

Minutes of Meeting
CONWAY BOARD OF SELECTMEN
April 7, 2020

The Selectmen's Meeting convened at 4:00 pm in the Meeting Room of Conway Town Hall with the following present: C. David Weathers, Mary Carey Seavey, Carl Thibodeau, John Colbath, Steven Porter, Town Manager Thomas Holmes, and Executive Secretary, Krista Day

PLEDGE OF ALLEGIANCE

Mr. Weathers led the Board in the Pledge of Allegiance to the Flag.

APPROVAL OF AGENDA

Mr. Weathers explained that the meeting was being aired through Facebook Live on the Town of Conway, NH Facebook Page. He also gave the phone number to call at the end of the meeting if anyone from the public had a question or comment.

Mr. Weathers noted there were a few additions to the agenda. He added the Appointment of Nat Lucy and Rob Adair to the Conservation Commission, and the following documents under "Signing of Documents":

- f. Timber Tax Levy on Map/Lot 218-8
- g. Certification of Yield Taxes Assessed on Map/Lot 218-8

Mr. Colbath moved, seconded by Ms. Seavey, to approve the agenda as amended. The motion carried unanimously.

DISCUSSION OF SUNSET HILL CELL TOWER PROPOSAL BY AIROSMITH

Mr. Holmes noted that he had been contacted by a company called Airosmith who was interested in a piece of town owned land for a potential cell tower off of Sunset Hill. Mr. Holmes added that this piece of property has no restrictions on the deed, but does have drainage easements.

Mr. Porter stated that he wanted to go on record being against this as he was not in favor of any development off of the North South Road.

Mr. Colbath noted that he had mixed feelings on this issue. He explained that the special exception guidelines are written in such a way that if they qualify, the ZBA has no choice but to grant the exception. Therefore, if they were going to find a piece of private property in this area to do this on anyway, it may benefit the town to be able to get revenue.

Mr. Thibodeau stated that he was in favor of this and would rather it be on the Town property in order to gain some revenue.

Resident Jesse Lyman of Duprey Road expressed his comments via phone call. He explained that it would be both visible on Route 16 and the North South Road. He added that he is a naturalist and would like to see no more structures in that area. He noted that the projected revenue of \$1,000 a month does not seem like enough.

Ms. Seavey agreed with Mr. Colbath in that she could go either way on this project, but she did not believe that \$1,000 a month was enough revenue.

Mr. Holmes added that this company was looking at the property, as well as some other properties in the area and it may turn out that the Town property is not desirable to them.

It was the consensus of the Board that they would like more information and a better understanding of potential revenue.

Mr. Thibodeau moved, seconded by Mr. Colbath, to table this discussion until there was more information available to them. The motion carried unanimously.

CONSIDERATION OF BARTLETT REQUEST RE: SHORT TERM RENTALS

Mr. Holmes explained that the Town of Bartlett had sent a letter to the State regarding the request for a temporary ban on Short Term Rentals due to COVID-19. As of Sunday night, Governor Sununu had ordered the shut down of temporary lodging, which included short term rentals.

In terms of enforcement of this order, it was determined to be under the purview of the Department of Health and Human Services, but local Police may enforce at their discretion.

REQUEST FOR SCHOOL FUNDING

Mr. Holmes explained that they had received a request from the Conway School District for the remaining balance of appropriations of \$4,223,019 immediately instead of incrementally on previously agreed upon due dates. It is the opinion of the Finance Director that we would not have enough money to operate if we pay it all up front. Because revenues are uncertain at the moment, the Finance Director was looking into TANS. It was his recommendation that they stick with the originally agreed upon dates of payment.

Mr. Thibodeau inquired as to whether there was any reasoning behind this request. Mr. Holmes noted that he had heard third hand that perhaps another town was considering not to pay them.

Ms. Seavey stated that she believed this to be an unreasonable ask. Mr. Thibodeau agreed and stated that there is no basis for their request.

Mr. Porter stated that they have been diligent with their agreed upon deadlines in the past and they have no intention of straying from that.

Mr. Thibodeau moved, seconded by Mr. Porter, to authorize Thomas Holmes to write a letter to the Conway School Board explaining that the Town is not in the position to be able to comply with their request for immediate payment.

Mr. Holmes explained that the Town is anticipating a budget shortfall and they are identifying cuts where they can be made. He added that they are attempting to get tax bills out early to allow more time to pay as well as allowing for cash flow.

Mr. Colbath moved, seconded by Ms. Seavey, to amend the motion to allow Chairman Weathers to send the letter on behalf of the Board of Selectmen. The motion on the amendment carried unanimously.

The amended motion read as follows:

Mr. Thibodeau moved, seconded by Mr. Porter, to authorize Chairman David Weathers to send a letter on behalf of the Board of Selectmen to the Conway School explaining that the Town is not in the position to be able to comply with their request for immediate payment. The motion carried unanimously.

Mr. Thibodeau noted that he had read an article in the Union Leader regarding Governor Sununu granting blanket waivers on property tax interest.

Mr. Holmes stated that there is some discussion regarding this as the way the order reads, he interprets it to only apply to taxes that have already been issued, not the taxes that will be going out this spring. He said that the word "blanket" can be interpreted to mean that if you waive the interest for one party, you are obligated to do it for all.

The Board decided to revisit this topic at the end of the meeting.

CORONAVIRUS UPDATE

Mr. Holmes noted that they had signed the Fireworks Contract for the Fourth of July. He added that the company has said that if the celebration cannot go on as planned, they can hold the fireworks sometime later this year.

Mr. Holmes explained that Mr. Eastman is continuing to plan for the summer recreation program even though the future is unsure.

Mr. Holmes wanted to know if the Board was in favor of authorizing the Parks and Rec department to lock the tennis courts at Davis Park as people are still using the courts despite the stay at home order.

Mr. Porter moved, seconded by Mr. Colbath, to authorize Parks and Rec to lock the gate to the tennis courts at Davis Park. The motion carried (4-1-0) with Mr. Thibodeau in the negative.

APPOINTMENTS OF THE CONSERVATION COMMISSION

- a. Nat Lucy – 3-year term

Mr. Colbath moved, seconded by Ms. Seavey, to appoint Nat Lucy to a 3-year term on the Conservation Commission. The motion carried unanimously.

- b. Rob Adair – 3-year term

Mr. Colbath moved, seconded by Ms. Seavey, to appoint Rob Adair to a 3-year term on the Conservation Commission. The motion carried unanimously.

Mr. Colbath wanted to thank Mr. Lucy and Mr. Adair for serving and agreeing to serve again.

REVIEW OF RECEIPTS

(none)

SIGNING OF DOCUMENTS

- a. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 225-25.002
- b. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 254-114
- c. Intent to Excavate on Map/Lot 263-117
- d. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 201-10.020
- e. Abatement of Taxes on Map/Lot 268-76
- f. Timber Tax Levy on Map/Lot 218-8
- g. Certification of Yield Taxes Assessed on Map/Lot 218-8

Mr. Colbath moved, seconded by Ms. Seavey, to sign the documents listed above in a. through g. The motion carried unanimously.

CONSIDERATION OF BILLS

- a. AP Manifest dated 4/9/2020
- b. Payroll dated 4/9/2020

Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the AP Manifest and Payroll dated 4/9/2020. The motion carried unanimously.

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

(none)

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

(none)

CONSIDERATION OF MINUTES

- a. Regular Minutes and Non-Public from 2/4/2020
- b. Regular Minutes from 3/31/2020

Mr. Thibodeau moved, seconded by Mr. Colbath, to adopt the minutes listed above as written. The motion carried unanimously.

TOWN MANAGER REPORT

Mr. Holmes stated that the Supreme Court has upheld the Market Basket appeal.

Mr. Holmes explained that Valley Pride was going to operate this year in a modified fashion and information could be found on the Town Facebook Page.

Mr. Holmes stated that he had heard from the DRA that they had documentation deficiencies for USPAP Manual that was completed by the former assessor during the revaluation. He said that he was preparing to ask the Selectmen to reach out to the DRA in a few weeks to ask for a 60-day extension to allow them to complete these updates.

There was a brief discussion regarding the state of elections and if Moderator Fauver had been able to get any more information from the Secretary of State. It was determined that there was really no more information than was given at the last meeting. The election was still scheduled to be held on April 28, 2020.

BOARD REPORTS AND COMMENTS

Mr. Porter noted that the Planning Board was not meeting this week.

Mr. Colbath stated that both the ZBA and Budget Committee meetings were on hold for the moment.

Mr. Thibodeau noted that the ESAA would be meeting on Thursday.

He added that they had received approval from Maine DEP and could begin the bidding process for the transient hangar.

Mr. Thibodeau noted that the Canadian Helicopter would not be coming to the airport this Spring as previously scheduled.

Ms. Seavey noted that the Economic Council had given out \$560,000 in small business loans.

Mr. Weathers stated that the CCC would be meeting the next night via teleconference.

Mr. Thibodeau wanted to revisit their conversation on the article regarding waiving interest on tax payments. Mr. Holmes noted that there are questions being raised on the specifics of this order and that he suggests that they do nothing at this time until some questions are answered.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Daymond Steer from the Conway Daily Sun inquired as whether the virus will affect the new values from the revaluation. Mr. Holmes explained that only time will tell and it depends on its impact on the housing market. He did note that there was such thing as an interim year adjustment, but it was too soon to tell.

At 5:01 pm, Mr. Colbath moved, seconded by Ms. Seavey, to go into non-public session under RSA 91-A:3 II (c) to discuss a tax matter. The motion carried unanimously.

NON-PUBLIC SESSION RSA 91-A:3 II (c) – Tax Matter

The Board returned to public session at 5:09 pm.

Mr. Colbath moved, seconded by Mr. Thibodeau, to seal the minutes from this non-public session.

ADJOURN

At 5:09 pm, the meeting adjourned at the call of the Chair.

Respectfully Submitted,

Krista Day
Executive Secretary

